

**

SECTION 13A – SINGLE FAMILY AND DUPLEX RESIDENTIAL DESIGN REVIEW

13A.1 PURPOSE – The Single Family and Duplex Residential Design Review process is established to preserve the wooded, low density character of the City’s single family and duplex residential neighborhoods, and assure that new single-family and duplex residential development achieves an appropriate balance amount the following:

- (a) Consistency with existing site conditions
- (b) Minimal disruption of site and surrounding topography
- (c) Minimal visual building bulk and an attractive exterior building design
- (d) Protection against erosion, ground movement, flooding and other hazards
- (e) Preservation of existing trees and vegetation, use of native plants, and an enhancement of the overall landscaping in residential neighborhoods
- (f) Safe on-site vehicular accessways to all covered parking
- (g) Retaining walls that follow topographic conditions and enhance the appearance of surrounding slopes
- (h) Right-of-way encroachments that are the minimum necessary to support private access and development and that enhance the overall appearance of the site
- (i) Substantial compliance with established Residential Design Guidelines

13A.2 APPLICABILITY / AUTHORITY THRESHOLDS – The following single family and duplex residential projects shall be subject to the provision of this Section:

- (a) New Dwellings, or
- (b) New Gross Floor Area of 400 sf or more, or
- (c) Grading:
 - (1) 500 or more cy combined cut / fill, or
 - (2) 6,000 or more SF disturbed area, or
 - (3) Any grading which will require removal or endanger a protected tree, as defined, or
- (d) Tree Removal / Excessive pruning associated with any Planning Commission entitlement for single family or duplex residential development, or

** Added by Ord. #996, 2/24/04

- (e) Encroachments associated with any Planning Commission entitlement for single family or duplex residential development (encroachments subject only to recommendation to City Council)

13A.3 APPLICATION

- (a) Application for a Single Family and Duplex Residential Design Review shall be made to the Director of Community Development upon a form prescribed by the Director. The application shall contain or be accompanied by the following data and no application shall be accepted unless it is complete and in compliance with the requirements set forth herein:
 - (1) Name and address of applicant.
 - (2) A Statement certifying under penalty of perjury that the applicant is the owner of the property, the authorized agent of the owner, or the master developer.
 - (3) Address or description of the property.
 - (4) A map showing the boundaries of the subject parcel and each separate lot or parcel within 300 feet of the exterior boundaries thereof together with a list, or the names and addresses of the last known owners of each lot or parcel insofar as they are of public record.
 - (5) A statement of the precise nature of the proposed development and any other data pertinent to the findings prerequisite to the granting of a Single Family Design Review in Section 13A herein.
 - (6) Such other information, plans, maps and data which may be necessary to assure a full presentation of pertinent fact for the record and to assist in making a determination in harmony with the objectives of this Ordinance.
- (b) FEE - The application shall be accompanied by a receipt showing that an application fee in accordance with the fee schedule established by the City Council has been paid to the Secretary of the Planning Commission and/or the Director of Community Development.

13A.4 HEARING BY COMMISSION – The Commission shall hold a public hearing after acceptance of a complete application for a Single Family and Duplex Residential Design Review by the Director of Community Development. Notice of the time, place and purpose of each such public hearing shall be given in the manner set forth in Section 11.4.1 herein. The Commission shall approve, conditionally approve or disapprove the site plan, the architectural elevations and landscape plan or shall request the owner to revise them.

13A.5 FINDINGS REQUIRED – The Commission may grant approval of Single Family and Duplex Residential Design Review to the proposed development, as applied for, or in modified form, if on the basis of the application and evidence submitted the following findings are made:

- (a) The Buildings and structures shown on the site plan are located to be consistent with the character of existing development on the site and in the neighborhood, as defined; minimize disruptions of existing public views; protect the profile of prominent ridgelines.
- (b) The overall site and building plans achieve an acceptable balance amount the following factors:
 - (1) building bulk,
 - (2) grading, including
 - (a) disturbed surface area and
 - (b) total cubic yards, cut and fill
 - (3) hardscape, and
 - (4) tree removal
- (c) All accessways shown on the site plan and on the topographic map are arranged to provide safe vehicular and pedestrian access to all buildings and structures.
- (d) All proposed grading and site preparation have been adequately reviewed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.
- (e) All accessory and support features, including driveway and parking surfaces, underfloor areas, retaining walls, utility services and other accessory structures are integrated into the overall project design.
- (f) The landscape plan incorporates:
 - (1) Native plants appropriate to the site's environmental setting and microclimate, and
 - (2) Appropriate landscape screening of accessory and support structures, and
 - (3) Replacement trees in sufficient quantity to comply with the standards of Section 25 (Trees) of the Belmont City Code
- (g) Adequate measures have been developed for construction-related impacts, such as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.
- (h) Structural encroachments into the public right-of-way associated with the project comply with the standards of Section 22, Article 1 (Encroachments) of the Belmont City Code

- (i) The project is in substantial compliance with the Residential Design Guidelines

13A.6 STANDARD CONDITIONS – In addition to any conditions that may be imposed on an individual project application, all projects shall be subject to the following standard conditions.

(a) Site Planning

- (1) Development shall be geologically stable. Geologic stability shall be created by measures including, but not limited to, repair and recompaction of existing unstable areas.
- (2) Development on sloping areas in excess of 30% shall be terraced or otherwise designed to avoid flat pad grading.
- (3) New construction shall be located outside of the dripline of existing, preserved trees to the greatest extent practicable.

(b) Site Preparation

- (1) Grubbing and other site preparation methods shall be limited to the smallest area feasible for the proposed use and development.
- (2) Where no new development or landscaping is proposed, brush clearance shall be limited to the minimum amount needed for fire safety purposes. Complete brush removal shall not be allowed.
- (3) Grading shall be conducted in accordance with all City regulations, with the terms and conditions of the approved geotechnical and geological reports and shall not create any hazardous conditions or damage to surrounding properties.

(c) Landscape Design

- (1) Replacement trees shall be provided in accordance with the provisions of Section 25 (Trees) of the Belmont City Code.
- (2) Two-year performance deposits shall be required when five or more replacement trees are required.

13A.7 LAPSE OF APPROVAL AND EXTENSION OF TIME – A single Family and Duplex Residential Design Review approval shall lapse and shall become null and void one year following the date on which it became effective unless, prior to the expiration of one year, a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site, or a certificate of occupancy is issued by the Building Official for the site which was the subject of the design review approval. Extension of time shall be governed by Section 10.5.

